



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

26 AUG 1976

Re: AOR 1975-127

Honorable Edward J. Patten
U.S. House of Representatives
Washington, D. C. 20515

Dear Mr. Patten:

This letter will confirm the conversation between Mr. Paul Bea of your staff and Scott Thomas of our Office of the General Counsel concerning an advisory opinion request submitted by you on December 11, 1975. As a result of that communication, it is my understanding that your staff may send a letter supplementing or modifying the original request.

The question presented in your original letter--whether the purchase of certain ads is a reportable "expenditure"--was asked in the context of several situations in one of which you were presented as a noncandidate. At the time your opinion request was received you indicated that you were not a candidate, and a response could have been issued on that basis had it not been for the intervening effect of the Supreme Court's decision in Buckley v. Valeo, 424 U.S. 1 (1976), the Federal Election Campaign Act Amendments of 1976, and the Commission's efforts to prepare proposed regulations implementing the Act, as amended. Nevertheless, because you presently are a candidate, we request that you specify in your letter the current or foreseeable factual basis of any advisory opinion request, should you still desire a response.

If you have any questions on this matter, please call me at 382-5657. Before proceeding on the matter we will await a further indication from your office as indicated above. Thank you for your cooperation and understanding of the circumstances which precluded our timely issuance of an opinion.

Sincerely yours,

N. Bradley Litchfield
Assistant General Counsel



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